

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

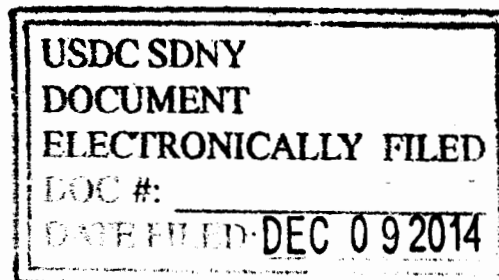
-----X
YVETTE RAY,

Plaintiff,

-v-

ACTING COMMISSIONER
OF SOCIAL SECURITY ADMINISTRATION,
CAROLYN W. COLVIN

Defendant.
-----X



No. 13CV6595-LTS-JLC

ORDER

Yvette Ray ("Plaintiff"), brings this action, pursuant to Section 205(g) of the Social Security Act (the "Act"), 42 U.S.C. § 405(g), seeking judicial review of the final determination of the Commissioner of Social Security (the "Commissioner") denying her application for Social Security Disability benefits. The parties have cross-moved for judgment on the pleadings pursuant to Rule 12(c) of the of the Federal Rules of Civil Procedure. Before the Court is the Report and Recommendation (the "Report") of Magistrate Judge James L. Cott, recommending that Plaintiff's motion be granted to the extent that it seeks a remand for further proceedings before the Administrative Law Judge ("ALJ"), and that the Commissioner's motion be denied. No objections to the Report have been filed.


When reviewing a report and recommendation, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C.S. § 636(b)(1) (C) (LexisNexis 2012). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Wilds v. United Parcel Service, Inc., 262

F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted)).

Having reviewed Magistrate Judge Cott's thorough and well-reasoned Report, to which no objection was made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, the Plaintiff's motion is granted to the extent that it seeks remand for further proceedings before the ALJ, and the Commissioner's cross-motion is denied. This case is remanded to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings consistent with the Report and this Order. The Clerk of Court is respectfully requested to enter judgment and close this case. This Order resolves docket entry numbers 11 and 14.

SO ORDERED.

Dated: New York, New York
December 8, 2014


LAURA TAYLOR SWAIN
United States District Judge